

**Amendments to the Claims:**

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1-11. (Canceled)

12. (Currently Amended) An exposure apparatus ~~that exposes a substrate via a liquid,~~ comprising:

an optical system having an optical member, via which an exposure beam is irradiated on a substrate;

a nozzle member comprising at least any one of a supply outlet that supplies a liquid and a collection inlet that collects a liquid, the nozzle member extending around a path of the exposure beam and the nozzle member being rotatable around an axis perpendicular to an optical axis of the optical system;

a support member that supports the nozzle member; ~~and~~

a position measuring system that measures a position of the nozzle member;

and

an adjustment mechanism-system that adjusts a positional relationship between the support member and the nozzle member based on a measurement result of the position measuring system.

13. (Currently Amended) An exposure apparatus as recited in Claim 12,

wherein the-adjustment mechanism-system comprises a drive apparatus that drives-moves the nozzle member with respect to the support member.

14. (Currently Amended) An exposure apparatus as recited in Claim 13, wherein comprising:

~~a position measuring instrument that measures~~ the position of the nozzle member includes the positional relationship between the support member and the nozzle member; and

~~wherein, wherein~~ the drive apparatus ~~drives~~ moves the nozzle member based on a ~~the~~ measurement result of the position measuring instrument system.

15. (Currently Amended) An exposure apparatus as recited in Claim 12, comprising:

~~an optical system;~~

~~wherein the wherein, the~~ optical system is supported by the support member.

16. (Currently Amended) An exposure apparatus ~~that exposes a substrate via an optical system and a liquid,~~ comprising:

an optical system having an optical member, via which an exposure beam is irradiated on the substrate;

a nozzle member ~~supported by a prescribed support member, and~~ comprising at least any one of a supply outlet that supplies a liquid and a collection inlet that collects a liquid, the nozzle member extending around a path of the exposure beam and the nozzle member being rotatable around an axis perpendicular to an optical axis of the optical system; and

a position measuring system that measures a position of the nozzle member; and

an adjustment ~~mechanism~~ system that adjusts a positional relationship between the optical system and the nozzle member based on a measurement result of the position measuring system.

17. (Currently Amended) An exposure apparatus as recited in Claim 16, further comprising:

a support member that supports the nozzle member,

wherein the optical system is supported by the support member; and the adjustment ~~mechanism~~ system comprises a drive apparatus that ~~drives~~ moves the nozzle member with respect to the support member.

18. (Currently Amended) An exposure apparatus as recited in Claim 17, comprising:

wherein the position of the nozzle member includes a position measuring instrument that measures the positional relationship between the optical system and the nozzle member; and

~~wherein,~~ wherein the drive apparatus ~~drives~~ moves the nozzle member based on ~~a the~~ the measurement result of the position measuring ~~instrument~~ system.

19. (Currently Amended) An exposure apparatus that exposes a substrate via a liquid, comprising:

an optical system having an optical member, via which an exposure beam is irradiated on the substrate;

a nozzle member ~~supported by a prescribed support member, and~~ comprising at least any one of a supply outlet that supplies a liquid and a collection inlet that collects a liquid, the nozzle member extending around a path of the exposure beam and the nozzle member being rotatable around an axis perpendicular to an optical axis of the optical system;

a support member by which the nozzle member is supported;

~~a substrate stage that holds the substrate; and~~

a position measuring system that measures a position of the nozzle member;

and

~~an adjustment mechanism that comprises a drive apparatus that~~ drives moves the nozzle member with respect to the support member, ~~and that adjusts a positional~~

~~relationship between the substrate stage and the nozzle member~~ based on a measurement result of the position measuring system.

20. (Currently Amended) An exposure apparatus as recited in Claim 19, further comprising:

~~a position measuring instrument that measures a~~ detecting system that detects a position of a surface of the substrate; and

a substrate stage on which the substrate is held,

wherein the position of the nozzle member measured by the position measuring system includes the positional relationship between the substrate stage and the nozzle member;

~~wherein,~~ wherein the drive apparatus drives/moves the nozzle member based on a/the measurement result of the position measuring instrument system.

21. (Currently Amended) An exposure apparatus ~~that exposes a substrate via a liquid,~~ comprising:

an optical system having an optical member, via which an exposure beam is irradiated on the substrate;

a nozzle member that comprises at least any one of a supply outlet that supplies a liquid and a collection inlet that collects a liquid, the nozzle member extending around a path of the exposure beam and the nozzle member being rotatable around an axis perpendicular to an optical axis of the optical system;

a position measuring system that measures a position of the nozzle member;  
and

~~wherein, at~~ wherein at least one part of the position of the nozzle member is movable in an optical axis direction of an exposure light that exposes the substrate controlled based on a measurement result of the position measuring system.

22. (Canceled)
23. (Currently Amended) An exposure apparatus as recited in ~~Claim 22~~ Claim 21, wherein the position of the nozzle member is controlled based on information related to the liquid.
24. (Canceled)
25. (New) A device fabrication method comprising:  
exposing a substrate by the exposure apparatus as recited in claim 12; and  
processing the exposed substrate.
26. (New) A device fabrication method comprising:  
exposing a substrate by the exposure apparatus as recited in claim 16; and  
processing the exposed substrate.
27. (New) An exposure apparatus according to claim 19, wherein the position of the nozzle member measured by the position measuring system includes the positional relationship between the optical system and the nozzle member.
28. (New) An exposure apparatus according to claim 19, wherein the position of the nozzle member measured by the position measuring system includes the positional relationship between the support member and the nozzle member.
29. (New) An exposure apparatus according to claim 19, wherein the nozzle member is movable in a direction parallel to the optical axis.
30. (New) An exposure apparatus according to claim 29, wherein the nozzle member is movable in a direction perpendicular to the optical axis.
31. (New) An exposure apparatus according to claim 29, wherein the nozzle member is rotatable around the optical axis.
32. (New) An exposure apparatus according to claim 19, wherein the optical system is supported by the support member.

33. (New) An exposure apparatus according to claim 19, wherein the position of the nozzle member measured by the position measuring system includes a position in a direction parallel to the optical axis.

34. (New) An exposure apparatus according to claim 19, wherein the position of the nozzle member measured by the position measuring system includes a position in a direction perpendicular to the optical axis.

35. (New) An exposure apparatus according to claim 19, wherein the position of the nozzle member measured by the position measuring system includes a position around the axis perpendicular to the optical axis.

36. (New) An exposure apparatus according to claim 19, wherein the position of the nozzle member measured by the position measuring system includes a position around the optical axis.

37. (New) An exposure apparatus according to claim 19, further comprising an acceleration meter,

wherein the nozzle member is moved by the drive apparatus based on a measurement result of the acceleration meter.

38. (New) A device fabrication method comprising:

exposing a substrate by the exposure apparatus as recited in claim 19; and  
processing the exposed substrate.

39. (New) An exposure method comprising:

providing a substrate such that the substrate is opposite to an optical member of an optical system and a nozzle member having at least any one of a supply outlet that supplies a liquid and a collection inlet that collects a liquid;  
measuring a position of the nozzle member;

rotating the nozzle member around an axis perpendicular to an optical axis of the optical system based on the measured position of the nozzle member; and

exposing the substrate with an exposure beam through the optical system and the liquid.

40. (New) An exposure method according to claim 39, wherein the measured position of the nozzle member includes a position around the axis perpendicular to the optical axis.

41. (New) An exposure method according to claim 39, wherein the measured position of the nozzle member includes a position in a direction parallel to the optical axis.

42. (New) An exposure method according to claim 41, further comprising moving the nozzle member in the direction parallel to the optical axis based on the measured position.

43. (New) An exposure method according to claim 39, wherein the measured position of the nozzle member includes a position in a direction perpendicular to the optical axis.

44. (New) An exposure method according to claim 43, further comprising moving the nozzle member in the direction perpendicular to the optical axis based on the measured position.

45. (New) An exposure method according to claim 39, wherein the measured position of the nozzle member includes a position around the optical axis.

46. (New) An exposure method according to claim 45, further comprising rotating the nozzle member around the optical axis based on the measured position.

47. (New) An exposure method according to claim 39, wherein the nozzle member is moved under a feed-back control based on the measured position.

48. (New) An exposure method according to claim 47, wherein the nozzle member is moved under a feed-forward control.